

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
GREENVILLE DIVISION**

**JOSEPHINE COKER, CHARLIE  
CRISS, AND ROSE PURNELL,**

**PLAINTIFFS,**

**VS.**

**CIVIL ACTION NO. 4:07CV100-P-B**

**MERCK & COMPANY, INC.;  
MISTY AUSTIN, ANDREA ELIZABETH  
BEAVERS, DAN SHEALS, WILLIAM  
UMPHLETT, AND JOHN DOES 1-20,**

**DEFENDANTS.**

**ORDER**

This matter comes before the court upon Defendant Merck & Company, Inc.'s Motion to Stay All Proceedings Pending Transfer Decision by the Judicial Panel on Multidistrict Litigation [6]. After due consideration of the motion and the responses filed thereto, the court finds as follows, to-wit:

Because Merck has received neither a conditional nor final transfer order from the MDL Panel, and because the plaintiffs' motion to remand is currently pending, this court declines to grant Merck's motion to stay.

**IT IS THEREFORE ORDERED AND ADJUDGED** that:

(1) Defendant Merck & Company, Inc.'s Motion to Stay All Proceedings Pending Transfer Decision by the Judicial Panel on Multidistrict Litigation [6] is **DENIED**; and

(2) Defendant Merck & Company, Inc. shall have until August 6, 2007 by which to file a response to the plaintiffs' motion to remand.

**SO ORDERED** this the 23<sup>rd</sup> day of July, A.D., 2007.

/s/ W. Allen Pepper, Jr.  
W. ALLEN PEPPER, JR.  
UNITED STATES DISTRICT JUDGE